

Message Text

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PAGE 01 GENEVA 00426 241424Z

50

ACTION EB-11

INFO OCT-01 EUR-25 EA-11 IO-14 ISO-00 AGR-20 CEA-02

CIAE-00 COME-00 DODE-00 FRB-02 H-03 INR-10 INT-08

L-03 LAB-06 NSAE-00 NSC-10 PA-04 RSC-01 AID-20

CIEP-02 SS-20 STR-08 TAR-02 TRSE-00 USIA-15 PRS-01

SPC-03 FEA-02 OMB-01 AF-10 ARA-16 NEA-11 DRC-01 /243 W

----- 075097

P R 241315Z JAN 74

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 3553

INFO USMISSION EC BRUSSELS

AMEMBASSY TOKYO

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FOR: JIRICH

E.O. 11652: N/A

TAGS: ETRD, GATT

SUBJECT: GATT COUNCIL: TEXTILES

REF: GENEVA 298

SUMMARY: DIRECTOR-GENERAL REASONABLY CONFIDENT GATT COUNCIL
JAN 28 WILL ADOPT REPORT ON MULTIFIBRE TEXTILE ARRANGEMENT
DESPITE FAIRLY WIDESPREAD DISAGREEMENT WITH HIS INTERPRETATION THAT
60-DAY PERIOD FOR ARTICLE 2 PARA 1 BEGAN JANUARY 1, 1974. DG AND
MISSION ARE URGING OTHER DELEGATIONS TO REFRAIN FROM RAISING THIS
INTERPRETATIVE PROBLEM IN COUNCIL. END SUMMARY.

1. SECRETARIAT ADVISED US THAT AS OF JAN 23, LETTERS CONCERNING
MULTIFIBRE TEXTILE ARRANGEMENT (L/3981) HAVE BEEN RECEIVED FROM EIGHT
COUNTRIES. SUBSTANCE OF REPLIES AS FOLLOWS: UNQUALIFIED ACCEPTANCE
(US AND SRI LANKA), WILL APPLY DE FACTO SUBJECT TO RATIFICATION
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PAGE 02 GENEVA 00426 241424Z

(AUSTRIA), WILL APPLY PROVISIONALLY PENDING RATIFICATION (SWEDEN),

TEXT SUBMITTED TO GOVERNMENT FOR APPROVAL AND RATIFICATION (GUATAMALA), ACCEPTABILITY TO MOST DIRECTLY-CONCERNED MINISTRY CONFIRMED AND NOW BEING SUBMITTED TO FULL GOVERNMENT FOR APPROVAL (BRAZIL), SIGNATURE IS SUBJECT TO RATIFICATION (FINLAND), AND GOVERNMENT HAS DECIDED "TO ACCEDE" SUBJECT TO APPROVAL OF GOVERNMENT (HUNGARY).

2. SECRETARIAT (PATTERSON) ADVISED US SOME DELEGATIONS HAVE EXPRESSED SURPRISE OR RESERVATIONS ABOUT DG INITIATIVE (REPORTED GENEVA 229) THAT 60-DAY PERIOD FOR PARA 1 OF ARTICLE 2 OF ARRANGEMENT BEGAN JAN 1, 1974. PATTERSON SAID HE AND DG TAKE POSITION ALL PARTICIPANTS KNEW THEY WERE NEGOTIATING DEFINITIVE TEXT IN DECEMBER AND NO OBJECTION RAISED WHEN DG ASKED WHETHER TEXT ACCEPTABLE AS NEGOTIATED. IN ANY CASE, TEXTILE COMMITTEE NO GATT COUNCIL IS PLACE TO DISCUSS ANY QUESTIONS OF INTERPRETATION.

3. EC AND JAPANESE REPS TELL US THEIR AUTHORITIES DO NOT AGREE WITH DG INTERPRETATION. THEY POINT TO ARTICLE 2 PARA 1 WHICH EXPLICITLY LINKS START OF 60 DAYS TO DATE OF ACCEPTANCE OF OR ACCESSION TO THE ARRANGEMENT. IN CASE OF JAPAN, THIS LIKELY BE SOMETIME IN FEBRUARY AFTER CABINET APPROVAL (DIET APPROVAL NOT CONTEMPLATED). EC (LUYTEN BASED ON TELECON WITH MEYNELL) EXPECTS EC COUNCIL APPROVAL IN FEBRUARY; MEYNELL IS CONSIDERING (BUT HAS NOT FIRMLY ACCEPTED) DG SUGGESTION THAT EC SEND HIM A NOTE AFTER GATT COUNCIL MEETING EXPLAINING ITS VIEWS OR RESERVATIONS ABOUT DG INTERPRETATION OF 60-DAY PERIOD. EC AND SOME OTHERS ARE NOT SATISFIED WITH DG'S REFERENCE TO MARCH 26 MEETING OF TEXTILE COMMITTEE AS PLACE TO TAKE UP ANY PROBLEMS OF INTERPRETATION BECAUSE IF DG'S INITIATIVE LEFT UNCHALLENGED, 60 DAYS WILL HAVE ELAPSED BEFORE COMMITTEE MEETS.

4. DG SAYS KITAHARA AGREES GATT COUNCIL CONSIDERATION SHOULD BE "A CEREMONY" AND THAT JAPAN WILL NOT INITIATE ANY DISCUSSION OF DG'S INTERPRETATION.

4. AUSTRALIAN REP ALSO DISAGREES WITH DG INTERPRETATION AND CLAIMS HE MADE CLEAR IN TEXTILE NEGOTIATING GROUP HIS ACCEPTANCE WAS AD REFERENDUM. HE DOES NOT KNOW WHEN GOA WILL FORMALLY ACCEPT AND, WHILE AGREEING NOT TO INITIATE DEBATE ON QUESTION IN GATT COUNCIL, HE DOUBTS HE COULD SAFELY REMAIN SILENT IF ANYONE SUGGESTS TERMS OF LIMITED OFFICIAL USE

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PAGE 03 GENEVA 00426 241424Z

ARRANGEMENT ARE IN FORCE AND TIME LIMITS NOW RUNNING FOR PARTICIPANTS IN TEXTILE NEGOTIATING GROUP EVEN IF GOVERNMENT HAS NOT YET CONFIRMED ACCEPTANCE.

5. COMMENT: CHANCES SEEM REASONABLY GOOD GATT COUNCIL WILL ADOPT REPORT ON TEXTILE ARRANGEMENT WITHOUT FIREWORKS SINCE EXPERIENCED DELS ARE TRADITIONALLY RELUCTANT TO REOPEN SUBSTANTIVE MATTERS IN COUNCIL. HOPEFULLY, THOSE WHO DISAGREE WITH DG ABOUT

START OF 60-DAY PERIOD WILL BE CONTENT TO PROTECT THEIR POSITIONS BY
COMMUNICATIONS TO DG AFTER COUNCIL MEETING. THIS COULD
LEAD TO REQUESTS TO CONVENE TEXTILE COMMITTEE PRIOR TO END
OF FEB SO THAT THE INTERPRETATIVE PROBLEM CAN BE
RESOLVED BEFORE EXPIRY OF PERIOD UNDER DG'S INTERPRETATION.
IN EVENT DEBATE ON THIS POINT EMERGES IN GATT COUNCIL,
SUGGEST WE PRESS FOR ADOPTION OF REPORT BUT BE PREPARED
ACCEPT MEETING OF TEXTILE COMMITTEE IN FEB. TO RESOLVE
PROBLEM OF INTERPRETATION OF ARTICLE 2 PARA 1.

6. INSTRUCTIONS REQUESTED BY OPENING OF BUSINESS JAN. 28.BASSIN

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Message Attributes

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Copy: SINGLE
Draft Date: 24 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Executive Order: N/A
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Original Handling Restrictions: n/a
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30 JUN 2005

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